

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**INFORMAL SESSION
June 5, 2006**

The Board of Supervisors of Maricopa County Arizona convened in Informal Session at 10:00 a.m., June 5, 2006, in the Board of Supervisors' Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Andrew Kunasek, District 3, Max W. Wilson, District 4 and Mary Rose Wilcox, District 5. Absent: Fulton Brock, Vice Chairman, District 1. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Manager; Bruce White, County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain.

EXCESSIVE HEAT EMERGENCIES PLAN

Item: The Maricopa County Excessive Heat Emergencies Plan, an annex to the county Emergency Operations Plan, is a coordinated effort involving several county departments and outside agencies. It was coordinated with complementary plans developed by the City of Phoenix and the Arizona Department of Health Services and, like those plans, is initiated by excessive heat notifications from the National Weather Service. It is geared primarily toward these goals: (C1506016M00) (ADM903)

- o Educating the public about the dangers of excessive heat, and
- o Protecting vulnerable segments of the population from its effects.
Warren Leek, Director, Emergency Management

David Smith introduced Warren Leek and said that Dr. Bob England, Acting Executive Director of Public Health, and Mark Halloran, CASS, were also present to speak on various aspects of excessive heat emergencies.

Mr. Leek said that their program's mission is public education and the protection of vulnerable segments of the population. The department works closely with cities, the State and the National Weather Service. He said the four determining factors in declaring any kind of weather warning to the public are temperature, humidity, amount of cloudiness and expected duration. These warnings are classified as a heat advisory, an excessive heat watch, and an excessive heat warning. He gave details on expected vulnerabilities of humans and their pets in each of these and reported on the services available to aid them through media warnings and personal attention. He said that the Phoenix area has already had its first heat emergency warning over the past weekend but the city has an extensive safety program in place and is an area in which the County has minimal involvement.

Mr. Leek said that there were long stretches of high heat in June and July last year and they are much better prepared this year to handle that kind of long-term excessive heat where nighttime temperatures remain in the high 90's F. He indicated that the inability to get relief from such excessive heat is a major contributor to deaths associated with heat.

Dr. England said they watched the homeless people very closely this past weekend. Several had been admitted to the emergency room and there was one possible death from the heat.

Supervisor Kunasek asked Dr. England about the multiple deaths that occurred last summer, wanting to know if those people had any secondary contributing factors that impacted or contributed to their deaths besides the heat.

Dr. England replied that there often were contributing factors such as drug overdoses. He did not know how many of last year's deaths were due strictly to the heat. He said that people can withstand high

temperatures but he agreed that the most important advice was to intersperse cool down periods in extended periods of high heat.

Mark Halloran said that the County's commitment to the Human Services Campus really "paid off" last weekend with the record temperatures. He said they had provided shelter to approximately 1,000 people over the weekend. He explained that high turnouts for the services offered has been their experience since they opened their doors several months ago. They are now able to offer services 24/7 and he is pleased with the broad overall service package they can now offer the homeless.

HEAD START ZERO – FIVE PROGRAM

Item: Update on the Head Start Zero-Five Program, including:

- o Federal funding reductions and impact on program services
- o Status of Head Start reauthorization legislation
- o Status of program services/child outcomes
- o Federal Initiatives (C2206172M00) (ADM2502)

Marjorie Weiss, Director, Head Start Programs

Ms. Weiss reported on the Board's activities with the Parent's Policy Council to determine activities and make decisions to govern each year's program for Head Start. She said they will continue to operate programs on a very limited basis for very young children into the month of June this year. This year Head Start programs served 3,123 children from "very fragile, at-risk families." The vast majority are four-year-olds with three-year-olds being the next largest age group. She said that every year non-English speaking families predominate and this year 55% have Spanish or another non-English language as their primary language. "Every year the percentage of the non-English speaking families increases – last year it was 52%. The vast majority are Spanish speaking families.

She indicated that teachers assess children three times a year, at the beginning, middle and end of the school year, to monitor progress and individualize the educational approach for each child. She said that 81% of the children showed at least a 20% gain in assessment scores. The 55% non-English language children showed a 16% gain in their English language skills. In terms of understanding a complex and varied vocabulary the Head Start children on the average make a 33% gain yearly, and in name recognition there is a 40% gain. Their ongoing improvement is the result of classes held 3 ½ days a week for 9 months of the year. Ms. Weiss said these improvements make a positive impact and set the stage for future success in school. She added that a significant number of the children are being raised by friends and other caregivers in the community and they have established an outreach program to work with those families outside of school hours.

Ms. Weiss addressed funding and said the federal government has cut their funding by 1% beginning this July for a total loss of \$187,004. They will reduce service by 22 fewer children to compensate for the funding loss. She explained that over the past three years their costs have increased by \$1.1 million over and above any fund increases they have received and they had been able to absorb these cuts until now.

ANIMAL CARE AND CONTROL PILOT PROGRAM

Item: Presentation of pilot program to provide saturation of services to targeted at-risk areas. Implementation will begin January 2007 with Zip code 85040 in Supervisorial District 5. The Department is planning a 60-day saturation of services to the targeted area beginning January 2007. Saturation will

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include vaccination and licensing clinics, mobile spay/neuter efforts and spay/neuter vouchers for overflow, animal related education with door-to-door canvassing and adoptions. (C7906116M00) (ADM2300)

Dr. Rodrigo Silva, Director, Animal Care and Control

Dr. Silva said this new pilot program should be implemented by January or February 2007 and will cover a commitment to citizen safety so that people can walk the streets and children ride their bicycles without fear of being attacked or bitten by unruly dogs. He said the root of the problem is people who do not practice responsible pet ownership. To reverse this they will initiate the following steps: enforcement, education, subsidized services, vaccination clinics, microchipping of pets and partnering with other private and government agencies. The at-risk areas will be identified by zip codes having high incidents of bites and stray animals while also having low licensing compliance. He said that eight zip codes have been identified that meet the essential criteria. The first area of focus will be the 85040 zip code where only 8% of the dogs are licensed. The initial program will begin there and he believes that it will greatly improve conditions for those residents. The program will later be taken into the other identified zip code areas.

Supervisor Wilcox said she had first-hand knowledge of that area because it was in her district and she had met some of the dogs when she walked those streets to campaign. She stated that she was encouraged to see the start of this improvement program and offered to help as much as possible. She said that a lot of people keep dogs for safety reasons in that neighborhood as it has a moving population and resident shifts are prevalent, although it remains mostly Hispanic. She said there will need to be a lot of outreach done in Spanish.

Dr. Silva said this needs to be very well planned and they want to have several neighborhood meetings to explain the program – this is why they are waiting until January to begin.

Dr. Silva reported that Animal Care and Control is also remaining committed in their efforts to end euthanasia. He reported that as of the end of May they have completed eight months of no euthanasias of healthy pets, in accord with national standards that have been set to define healthy, treatable and manageable pets. He said that no healthy animal has been killed because of lack of space to keep them.

SOUTHEAST JUSTICE CENTER – CONTINUED

- Presentation to the Board of Supervisors on two options for the Southeast Justice Center, including advantages and disadvantages, as well as project scope, schedule and costs.
- Direct the Facilities Management Department and County Manager on which option to formally submit for FY 2006-07 budget. (ADM1203) (ADM850)
Heidi Birch, Principal, Capital Facilities Development
Arrington Watkins, Architect

This item was continued for two weeks to the June 19, 2006, meeting at the request of Facilities Management.

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CORRECT PAY RATE AMOUNTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to correct the pay rate amounts approved as part of an exception to the Maricopa County Employee Compensation Plan; section VI – Permanent Salary Advancements, granting approval of non-merit salary advancements retroactive to the date of promotion and date of hire for specific employees in the Planning and Development Department. The Planners' market rates are as follows: Brian McCabe to \$22.75 as of August 15, 2005, Andrew Piper to 22.09 as of September 12, 2005, Rachel Applegate to 22.09 as of September 26, 2005, and Grettel Vargas to \$23.41 as of September 26, 2005. (C4406018000) (C4406022000) (ADM3400-001) (ADM3308)

REGIONAL SCHOOL DISTRICT #509

Item: The Board of Supervisors, pursuant to its authority granted in A.R.S. §15-1001, will consider for approval vouchers presented by the County School Superintendent of Maricopa County to draw warrants on the County Treasurer against Maricopa County Regional School District #509 School District funds for necessary expenses against the school district and obligations incurred for value received in services as shown in the Vouchers. (ADM3814-003)

Motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek and unanimously carried (4-0-1) to consider the following voucher requests:

Approve Voucher No. 126

\$307,641.20

The Board of Supervisors may consider ratifying any Maricopa County Regional School District #509 vouchers and/or warrants approved in accordance with the procedures of A.R.S. §15-321 since the last meeting of the Board of Supervisors. The Board of Supervisors may hear staff reports on the vouchers and warrants being considered. The Vouchers are on file in the Maricopa County's Clerk of the Board's office and are retained in accordance with ASLAPR approved retention schedule. (ADM3814-003)

Motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek and unanimously carried (4-0-1) to consider the following voucher requests:

Ratify Voucher No.178

\$70,395.08

Staff may update the Board of Supervisors on regional schools operations and finances. (ADM3814-005)

EXECUTIVE SESSION CALLED

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to recess and reconvene in Executive Session to consider items listed on the Executive Agenda dated June 5, 2006, pursuant to listed statutory authority, as follows.

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

Compromise Cases – Barbara Caldwell, Outside Counsel
Dunbar, John
Rowell, Brian

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**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS
CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(3) and (A)(4)**

Robert Louis Armstrong v. Maricopa County et al., US District Court No. CV05-1563-PHX-DKD

David Damron, Outside Counsel
Georgia A. Staton, Outside Counsel
Peter Crowley, Risk Manager
Richard Stewart, Deputy County Attorney

LEGAL ADVICE – ARS §38-431.03(A)(3)

Legal advice concerning Board of Supervisors representation and authority to change Restated Declaration of Trust.

Tim Casey, Outside Counsel

LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) and (A)(4)

Town of Gilbert v. Maricopa County, et al., Court of Appeals No. 1 CA-CV 06-0309, Superior Court No. CV2006-004754

Christopher Keller, Chief, Civil Division
Bruce White, Deputy County Attorney
Kevin Costello, Deputy County Attorney
Gary Lassen, Outside Counsel

**LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATIONS AND POTENTIAL LITIGATION --
ARS §38- 431.03(A)(3) AND 38-431.03(A)(4)**

Baxter Claim

Chris Keller, Deputy County Counsel
Wes Baysinger, Director, Maricopa County Materials Management

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; CONTRACTS SUBJECT TO
NEGOTIATION – ARS §38-431.03(A)(3) AND (A)(4)**

Advice regarding legal issues and options concerning County Regional School District/Accommodations School funding, management, audit issues, and lawsuit filed by the Superintendent of Schools.

Chris Keller, Chief Counsel, Civil Division
Sandi Wilson, Deputy County Manager
Bruce White, Deputy County Attorney
Brian Hushek, Deputy Budget Director
Shelby Scharbach, Deputy Finance Director
Dean Wolcott, Outside Counsel
Tom Manos, Chief Financial Officer
Ross Tate, County Auditor
Tom Irvine, Outside Counsel
Fred Rosenfeld, Outside Counsel

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LeeAnn Bohn, Budget Manager

LEGAL ADVICE; CONTRACTS SUBJECT TO NEGOTIATION – ARS §38-431,03(A)(3) and (A)(4)

IGA between Maricopa County and the Maricopa County Regional School District #509 regarding school operations and financing.

Chris Keller, Chief Counsel, Civil Division
Sandi Wilson, Deputy County Manager
Bruce White, Deputy County Attorney
Brian Hushek, Deputy Budget Director
Shelby Scharbach, Deputy Finance Director
Dean Wolcott, Outside Counsel
Tom Manos, Chief Financial Officer
Ross Tate, County Auditor
Tom Irvine, Outside Counsel
Fred Rosenfeld, Outside Counsel
LeeAnn Bohn, Budget Manager

MEETING ADJOURNED

After discussion on the above items and there being no further business to come before the Board, the meeting was adjourned.

Don Stapley, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board